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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,745	07/07/2003	Sanjiv M. Bhatt	2267.664US02	6177

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EXAMINER

CASTELLANO, STEPHEN J

ART UNIT	PAPER NUMBER
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3727

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/614,745	BHATT, SANJIV M.	
	Examiner	Art Unit	
	Stephen J. Castellano	3727	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1-20-04</u> . | 6) <input type="checkbox"/> Other: _____ |

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Claims 4 and 9-38 have been canceled. Claims 1-3 and 5-8 remain for treatment according to their merits.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosoi in view of Gregerson et al. (Gregerson).

Hosoi discloses a sealable wafer carrier comprising an enclosure portion (case 1) and a door (outer door 13). The door has a latching mechanism (15, 16, 18-20). The enclosure material is polycarbonate and the door material is PEEK (specification states that outer door 13 may be any material in col. 6, lines 53-55). Hosoi discloses the invention except for the enclosure's kinematic coupling and the door's wafer cushion and door seal. Gregerson teaches a kinematic coupling 40, wafer cushion 92, and a gasket to seal the door to the door frame of the enclosure as taught in the specification at col. 5, line 57 – col. 6, line 6. It would have been obvious to add a kinematic coupling to provide easier handling and transport of the carrier. It would have been obvious to add the wafer cushion to hold the wafers in place to minimize or eliminate damage to wafers and the interior surfaces of the enclosure and door. It would have been obvious to add the gasket to seal the carrier and keep contaminants from entering the carrier and soiling the wafers.

Re claim 5, the door includes both the inner door (FIMS door 6) and the outer door (13). The interior surface of inner door is polycarbonate while the exterior surface of the outer door is PEEK. Re claims 6-8, Official notice is taken that the molded layer of fire retardant material on

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the exterior surface of the door as in claim 6, the application of an exterior fire retardant layer by adhesive as in claim 7 and the affixing of an exterior fire retardant layer by mechanical fasteners as in claim 8 are well known. It would have been obvious to add an exterior layer by any of these means to incorporate a fire retardant exterior surface to a door as the method of attachment lacks criticality.

Claims 1, 2 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosoi in view of Gregerson as applied to claim 1 above, and further in view of the prior art admission contained in the specification page 11, lines 10-17.

This rejection is applied to claim 1 insofar as it could be argued that the FPI is not within the claimed range.

The Hosoi and Gregerson combination are applied as previously stated. The combination fails to disclose polyether imide (PEI) outer door exterior surface material. The specification states that polyether imide (PEI) is a known plastic acceptable for use in wafer carriers, it also states that PEI is a preferred material having a FPI between 8.1 – 8.6 and ULTEM 1000 made by GE Plastics is a known example of this PEI material. It would have been obvious to modify the door material to be PEI in order to provide the FPI fire resistance with a commercially and readily available material.

Re claim 5, the door includes both the inner door (FIMS door 6) and the outer door (13). The interior surface of inner door is polycarbonate while the exterior surface of the outer door is PEEK. Re claims 6-8, Official notice is taken that the molded layer of fire retardant material on the exterior surface of the door as in claim 6, the application of an exterior fire retardant layer by adhesive as in claim 7 and the affixing of an exterior fire retardant layer by mechanical fasteners


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as in claim 8 are well known. It would have been obvious to add an exterior layer by any of these means to incorporate a fire retardant exterior surface to a door as the method of attachment lacks criticality.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J. Castellano whose telephone number is 571-272-4535. The examiner can normally be reached on M-Th 6:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Stephen J. Castellano
Primary Examiner
Art Unit 3727

sjc